

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

WILLIAM JAMES WISE,

§

Petitioner,

§

v.

1:23-CV-986-DII

G. ROSALEZ, *Warden, FCI Bastrop*,

§

Respondent.

§

ORDER

Before the Court is Petitioner William James Wise’s (“Wise”) Petition Under 28 U.S.C. § 2241, (Dkt. 1), and Respondent’s Motion to Dismiss, (Dkt. 7). The case was referred to United States Magistrate Judge Dustin Howell for findings and recommendations, pursuant to 28 U.S.C. § 636(b). Judge Howell filed his report and recommendation on November 21, 2023. (Dkt. 8). In his report and recommendation, Judge Howell recommends that the Court grant Respondent’s unopposed motion and dismiss Wise’s petition. (*Id.* at 7). The docket indicates that Wise received notice of the report and recommendation as of December 4, 2023. (Dkt. 11). As of the date of this order, Wise has not filed any objections to the report and recommendation.

Pursuant to 28 U.S.C. § 636(b), a party may serve and file specific, written objections to a magistrate judge’s proposed findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure de novo review by the district court. When no objections are timely filed, a district court can review the magistrate’s report and recommendation for clear error. *See* Fed. R. Civ. P. 72 advisory committee’s note (“When no timely objection is filed, the [district] court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”).

Because no party has filed timely objections, the Court reviews the report and recommendation for clear error. Having done so and finding no clear error, the Court accepts and adopts the report and recommendation as its own order.

Accordingly, the Court **ORDERS** that the Report and Recommendation of the United States Magistrate Judge, (Dkt. 8), is **ADOPTED. IT IS ORDERED** that Respondent's Motion to Dismiss, (Dkt. 7), is **GRANTED**.

IT IS FURTHER ORDERED that Wise's Petition Under 28 U.S.C. § 2241, (Dkt. 1), is **DISMISSED**.

SIGNED on January 23, 2024.



ROBERT PITMAN
UNITED STATES DISTRICT JUDGE